

Amendment Under 37 C.F.R. § 1.111
Serial No. 09/549,167
Sughrue Ref: Q58838

REMARKS

Applicants note with appreciation that the Examiner for acknowledging the claim for foreign priority and confirming receipt of the priority document.

In addition, Applicants note with appreciation that the Examiner for initializing and considering the references listed on the PTO/SB/08 form submitted with the Information Disclosure Statement filed on June 4, 2002.

The Examiner has objected to the specification due to several minor typographical errors. Applicants have amended the specification, in accordance with the Examiner's objections. In addition, the Examiner has objected to the title. In response, Applicants have amended the title to read "Digital Camera having Input Devices". Therefore, Applicants respectfully request the Examiner to withdraw these objections.

Claims 2-20 are all of the pending claims. Claims 2, 7, and 14 are independent claims.

Allowable Subject Matter

Claims 14-20 are allowed.

Applicants thank the Examiner for indicating that claims 14-20 are allowance. Applicants respectfully respond to the Examiner's statement as follows.

The Examiner implies that the allowed claims are allowable because they contain certain features. However, the language used by the Examiner to describe such features is not the same as the language contained in all of the claims. Accordingly, Applicants respectfully submit that each individual claim is allowable, as a whole, based on its own language, and not based on any paraphrasing of language that may be made by the Examiner.

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Claim Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-3, 6-10, and 13 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Anderson (US 6,486,914). Claims 4 and 11 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Anderson in view of Miller et al. (US 6,310,648) (“Miller ‘648”). Claims 5 and 12 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Anderson in view of Miller et al. (US 6,233,015) (“Miller ‘015”).

Applicants have cancelled independent claim 1, rendering the rejection of this claim moot.

Dependent Claim 2

Applicants have also amended claim 2 to include all of the limitations of claim 1. Applicants respectfully request the Examiner to withdraw the rejection of claim 1 at least because Anderson does not teach or suggest the claimed digital camera having a plurality of first input devices disposed along a periphery of the display portion in a first direction which is in parallel with an axial line of the shutter button; and a plurality of second input devices disposed in a second direction perpendicular to the first direction.

Anderson appears to disclose a digital camera having an LCD screen 402 upon which soft key labels 410a, 410b, 410c (information items) are displayed on an overlay bar 432. Soft keys 412a, 412b, 412c (input devices) are positioned adjacent to the key labels 410 (Anderson at Fig. 7a and 7b).

In addition, it appears to be the Examiner’s position that Anderson’s overlay on/off button 413 and menu button 415 (Anderson at Fig. 4) correspond to the “plurality of first input

devices disposed along a periphery of the display portion in a first direction that is parallel with an axial line of the shutter button.” However, the buttons 413, 415 cannot correspond to the claimed first input devices at least because the buttons are not disposed adjacent to the key labels 410 (alleged as corresponding to the claimed “set information items”).

In addition, Applicants see no suggestion in Anderson to modify the digital camera to provide additional key labels adjacent to the buttons 413, 415.

Therefore, Applicants respectfully request the Examiner to withdraw the rejection of independent claim 2. In addition, Applicants respectfully request the Examiner to withdraw the rejection of claims 3 and 6 at least because of their dependency from claim 2.

Furthermore, Applicants respectfully request the Examiner to withdraw the rejection of claim 4 at least because of its dependency from claim 2 and because Miller ‘648, which was cited by the Examiner in an attempt to show information items that are shutter speed, aperture, white balance, or flash, does not cure the deficiencies in Anderson discussed above with respect to claim 2. Applicants respectfully request the Examiner to withdraw the rejection of claim 5 at least because of its dependency from claim 2 and because Miller ‘015, which was cited by the Examiner in an attempt to show a circularly changing device, does not cure the deficiencies in Anderson discussed above with respect to claim 2.

Independent Claim 7

With respect to independent claim 7, Applicants have amended the claim to clarify what it meant by a “setting screen.” Specifically, Applicants have amended claim 7 to recite that the setting screens include a plurality of information items --indicative of picture taking settings--

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and that, in addition to changing at least one of the set information items, the changing device changes the --type of the setting screen in accordance with input to at least one of the input devices--. Applicants respectfully submit that this amendment is fully supported in the original specification at least by Figs. 4(A)-5(E) and the discussion thereof.

Applicants respectfully request the Examiner to withdraw the rejection of claim 7 at least because Anderson does not teach or suggest the claimed digital camera having a display portion capable of displaying at least of setting screens including a plurality of set information items indicative of picture taking settings, and a changing device which changes at least one of the set information items and which changes the type of setting screen in accordance with input to at least one of the input devices.

Anderson discloses a digital camera in which several types of screens are displayed, e.g., delete screens (Figs. 8A-8C) and directed image capture screens (Figs. 9A & 9B). However, although Anderson includes key labels 410 that are used to display instructions to the user for reviewing images, deleting images, annotating images, or capturing groups of related images (for example, directions for an image capture sequence) (Anderson at 8:23-30 & 9:27-35), there is no teaching or suggestion that Anderson's camera allows the soft keys 12 to be used for changing the type of a setting screen having information items indicative of picture taking settings.

Therefore, Applicants respectfully request the Examiner to withdraw the rejection of claims 8-10 and 13 at least because of their dependency from claim 7.

Furthermore, Applicants respectfully request the Examiner to withdraw the rejection of claim 11 at least because of its dependency from claim 2 and because Miller '648 does not cure

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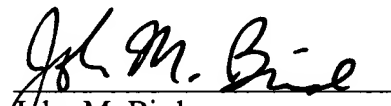
the deficiencies in Anderson discussed above with respect to claim 7. Applicants respectfully request the Examiner to withdraw the rejection of claim 12 at least because of its dependency from claim 2 and because Miller '015 does not cure the deficiencies in Anderson discussed above with respect to claim 2.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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CUSTOMER NUMBER

Date: April 20, 2004